

It could be the golden ring of cost containment, and it could put you out of business. It could put you out of business. We have examples of CMS doing exactly that. So do not wake up one day and realize that the government has taken over your health care the same way they have taken over the banks and the auto industry. Do not let them ration your health care. Rationing is not what we need. It can be terribly counterproductive, and I hope we can do a better job in the future.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Oregon, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. In my capacity as a Senator from the State of Oregon, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to, and at 2:30 p.m. the Senate recessed subject to the call of the Chair and reassembled at 2:34 p.m., when called to order by the Presiding Officer (Mr. MERKLEY).

The PRESIDING OFFICER. In my capacity as a Senator from the State of Oregon, I suggest the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRAVEL PROMOTION ACT OF 2009

Mr. REID. Mr. President, we have worked several days this week trying to move forward on the tourism bill. It is an extremely important piece of legislation. It is important to every State in the Union. That is why it is so heavily bipartisan.

We have almost 50 cosponsors of this legislation. Lots of Republicans cosponsored this legislation—BOND, BROWNBACK, ENZI, GRAHAM, MARTINEZ, THUNE, WICKER, ALEXANDER, COCHRAN, ENSIGN, VITTER—and I am sure there are others. It is a bipartisan bill.

We have already wasted so much time. We had to file cloture on a motion to proceed to this heavily bipartisan bill. Once we were on the bill, I spoke to the Republican leader. We thought we had a pathway to having civility here, so the Republicans would try to help us. But, of course, we learned yesterday the GOP is still saying no; Democrats need to know when

they bring bills up, we are going to extend debate as long as we can, even if we cannot win.

We said: OK. You offer—you, the Republicans—four amendments. And they did. They picked all the amendments they wanted to offer—not germane to this bill.

I said: OK. They were all involving TARP or the money that we all know about by now. So I said, and I told the Senator from Vermont, Mr. SANDERS: If the Republicans want to offer non-germane amendments, I will be happy to have you offer your amendment.

His is a fairly simple amendment. We see what is happening in the world today as it relates to oil. Again, we are seeing speculation. We know it was there before, we are seeing it again. We have a large inventory, with no reason for the price to spike. But we have those people, these commodity traders, who are rolling the dice as if they were coming to Las Vegas to roll the dice on the oil because they think the price is going to go up.

What Sanders wanted to do is basically nothing unique. He wanted to make sure the entity that is responsible for making sure there are no shenanigans being conducted by these traders, that we pass some legislation saying: You have to do better than what you have done, in effect. I am paraphrasing the picture of that legislation. It was fairly noncontroversial. But the Republicans said no. Whom are they trying to protect?

So we were generous in our offer. What was the other amendment they wanted to offer? They still had another amendment. I said: Fine, go ahead. The Senate should take hard votes. I am not concerned about my folks having to take difficult votes.

The Presiding officer knows, in the short time he has been here, that we have taken some hard votes. That is what we are elected to do. We are not elected to run from issues. To be clear, some of the amendments which my Republican colleagues wanted to include would have been votes that have nothing to do with this bill. I said: Let's do it anyway.

But the standard for a Democrat offering an amendment that is not germane, I guess, is different. You can have four. I said: We do not even need the same number of amendments. I guess what is good for us is not good for them.

I am disappointed this has not been worked out. I was going to propound an agreement which was agreed upon that would permit the process of legislating on this most important tourism bill, but I am not able to do so because we do not have a Republican here to object. I certainly am not going to take advantage of anyone because no one is here to object.

But I do want the RECORD to reflect that the majority is ready to move forward with amendments now or Monday. I hope that on Monday, when our managers are here, Senators DORGAN

and MARTINEZ, we may still be able to reach an agreement to begin the process of working through this legislation. If we cannot, we are going to vote at 5:30 on Monday on cloture on this bill.

A decision is going to have to be made. I have not tried to jam anybody. We have not tried to jam anybody. We have been as reasonable as anybody can be. But we are going to have to make a decision on this legislation.

The State of Oregon, the home of the Presiding Officer, a couple years ago I took my family to Oregon. Every summer we take all 5 children and all 16 grandchildren and try to go someplace. We went to Oregon. We rented a home on the beautiful coast that was stark. For 8 days the Sun did not shine. But I loved it. Being from the desert, I loved that rain a little bit. It was wonderful.

I would love to go back. There were so many things to do around there. We drove 20 miles to see a waterfall. The water fell some 300 or 400 feet. It was not a lot of falling, but it dropped a long way.

The only point I am making is there is so much for people to see. Years ago, UNLV had a great basketball team. Yours was good, but theirs was great—the Tarkanian years. So I flew into Portland with my wife. We drove over to the coast, down the coast, and went to—I think it was called Salem, the University of Oregon, I think, or Oregon State, whatever university it was where they had this tournament.

I watched UNLV play. The reason I mention it, driving down that coast was so beautiful. But every State, every State I have ever been to—I have been to most of them. I think I have been to all of them—have beautiful things for people to come and see. That is what this legislation is all about.

The No. 1, 2 or 3 most important driver of the economy in every State is tourism, every State. It is the same in Oregon, where unemployment now is over 12 percent. We can get more people to come to Oregon or Nevada. It would be tremendous for those economies. That is what this legislation does. It sets up a public-private partnership in the model, frankly, of what the Las Vegas Convention Center did, which has been so successful. That is what this legislation is all about.

It is bipartisan legislation. Because we could not work anything on amendments, I hope we will get cloture on this bill. But whether we do or not, I am happy to work with my Republican colleagues to move forward on this.

#### CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we close morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. Morning business is closed.

## TRAVEL PROMOTION ACT OF 2009

Mr. REID. Mr. President, it is my understanding that bill is now going to be reported.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1023) to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.

Mr. REID. Mr. President, the majority on the Commerce Committee has provided authority to the Chairman, Senator ROCKEFELLER, to withdraw the committee amendments and the chairman has now provided me with that authority.

Therefore, on the authority granted by Senator ROCKEFELLER of the Commerce Committee, I now withdraw the Committee amendments.

The PRESIDING OFFICER. The committee amendments are withdrawn.

## AMENDMENT NO. 1347

(Purpose: To provide a perfecting amendment)

Mr. REID. On behalf of Senators DORGAN and ROCKEFELLER, I offer a perfecting amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. DORGAN and Mr. ROCKEFELLER, proposes an amendment numbered 1347.

Mr. REID. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

## CLOTURE MOTION

Mr. REID. It is my understanding that there is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Dorgan amendment, No. 1347, to S. 1023, the Travel Promotion Act of 2009.

Harry Reid, Byron L. Dorgan, Barbara Boxer, Ron Wyden, Michael Begich, Evan Bayh, Charles Schumer, Max Baucus, Jon Tester, Patty Murray, Jack Reed, Amy Klobuchar, Patrick Leahy, Barbara Mikulski, Robert Menendez, Jeff Bingaman, Joseph Lieberman.

Mr. REID. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 1348 TO AMENDMENT NO. 1347

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1348 to amendment No. 1347.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the amendment, add the following:

This section shall take effect 5 days after enactment.

## AMENDMENT NO. 1349

Mr. REID. I now call up my amendment to the language proposed to be stricken and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1349 to the language proposed to be stricken by amendment No. 1347.

The amendment is as follows:

At the end of the language proposed to be stricken, insert the following:

This section shall take effect 4 days after the date of enactment.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 1350 TO AMENDMENT NO. 1349

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1350 to amendment No. 1349.

The amendment is as follows:

In the amendment, strike "4" and insert "3".

## CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with this provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on S. 1023, the Travel Promotion Act of 2009.

Harry Reid, Byron L. Dorgan, Barbara Boxer, Ron Wyden, Michael Begich, Evan Bayh, Charles Schumer, Max Baucus, Jon Tester, Patty Murray, Jack Reed, Amy Klobuchar, Patrick Leahy, Barbara Mikulski, Robert Menendez, Jeff Bingaman, Joseph Lieberman.

## MOTION TO RECOMMIT WITH AMENDMENT NO. 1351

Mr. REID. I now have a motion to recommit with instructions. That motion is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to recommit the bill to the Committee on Commerce, Science, and Transportation with instructions to report back forthwith with the following amendment numbered 1351.

The amendment is as follows:

At the end insert the following: This section shall become effective 2 days after enactment of the bill.

Mr. REID. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 1352 TO AMENDMENT NO. 1351

Mr. REID. I have a first-degree amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1352 to amendment No. 1351.

The amendment is as follows:

Strike "2" and insert "1".

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 1353 TO AMENDMENT NO. 1352

Mr. REID. I have a second-degree amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1353 to amendment No. 1352.

The amendment is as follows:

Strike "1" and insert "immediately"

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 187, 189, 190, 191, 198, 199, 200, 201, 202, 210, 211, 212, 213, 216, 220, 221, 222 to and including 250, 253, 254 and all nominations on the Secretary's desk in the Air Force, Army, Coast Guard, Foreign Service, and Navy; that the nominations be confirmed en bloc; the motions to reconsider be laid on the table en bloc; that no further motions be in order, that any statements relating to any of these matters be printed in the